

PATENT
130041-2002.1

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Thomas J. Burke
Serial No. : 10/623,792
For : RAILROAD GRADE CROSSING ASSEMBLY
Filed : July 21, 2003
Examiner : Jerry E. Redman
Art Unit : 3634

745 Fifth Avenue
New York, NY 10151
Tel: 212-588-0800

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ No additional fee is required.
☒ The fee has been calculated as shown below.
☒ This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

Claims as Amended

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Present extra	(6) Rate	(7) Additional Fee
Total claims	20	Minus	** = 20	* 0 x	\$50 (25)	= \$ 0.00
Independent claims	2	Minus	*** = 3	* 0 x	\$200 (100)	= \$ 0.00
Total additional fee for this amendment						\$ 0.00

- * If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.
** If the highest number of total claims previously paid for is less than 20, write "20" in this space.
*** If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

- ☐ This application contains a multiple dependent claim. The required fee of \$360 (180) has been previously paid ☐, or is paid herewith ☐.
- ☒ This response is being filed within the first month following the expiration of the term originally set therefor. This is a petition to request a one-month extension of time. A check covering the cost of the petition is enclosed.
- ☒ A check in the amount of \$60.00, which covers the cost of ☐ additional claims ☒ petition for extension of time.
- ☐ Charge \$_____ to Deposit Account No. 50-0320.
- ☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, on December 23, 2004.
Bruno Polito, Reg. No. 38,580

Name of Applicant, Assignee or Registered Representative

Signature

December 23, 2004

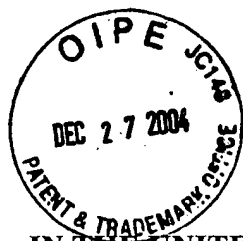
Date of Signature

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant(s)

By:

Bruno Polito
Reg. No. 38,580
Tel: 212-588-0800



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Bruno Polito, Reg. No. 38,580

(Name of Applicant, Assignee or Registered Representative)

Signature

December 23, 2004

Date of Signature

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed November 22, 2004, setting a one-month period for reply and asserting a restriction requirement, Applicant elects Group IV – Figures 9-12 without traverse, for further prosecution in this application. Applicant notes that claims 1-20 as currently presented are readable on Group IV.

Applicant reserves the right to file divisional applications to non-elected subject matter.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By:



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